INVESTIGATIVE SUMMARY
DEPUTY INVOLVED HIT SHOOTING
IAB SH-2088731
URN: 003-04871-0378-055

On Tuesday, May 20, 2003, Sergeants Elier Morejon and William Hines along with Lieutenant Rickey Jennings of the Internal Affairs Bureau responded to 123rd Street and Ainsworth Avenue, City of Los Angeles, regarding a deputy involved hit shooting. Special Enforcement Team Deputies Anthony Baudino and Jesse Rodriguez were working in the Lennox Station area on a special saturation patrol assignment due to an increase of gang-related shootings and possible threat on a deputy. While driving near the vicinity of 125th Street and Budlong Avenue they heard several gunshots. Seconds after the gunshots they saw two male blacks holding handguns and wearing red bandanas covering their face running westbound 125th Street onto northbound Budlong Avenue. The two males entered a waiting stolen vehicle who was occupied by the driver and fled the scene. Deputies Baudino and Rodriguez initiated a short vehicle pursuit. The driver of the suspect vehicle lost control and collided with a stop sign on the southeast corner of 123rd Street and Ainsworth Avenue. The two passengers immediately exited the vehicle armed with handguns as Deputies Baudino and Rodriguez approached. Deputy Baudino believed that the suspects had just shot at someone, were "Blood" gang members, were fleeing in a stolen vehicle and were armed with handguns, he feared for his and his partners life. Deputy Baudino fired five rounds from his departmental issued 9mm Beretta semi-automatic. One of the suspects who sustained two gunshot wounds to his buttocks was immediately apprehended. The second suspect was later apprehended with the assistance of a K-9 deployment. The third suspect, driver, was last sen running northbound on Ainsworth and was not apprehended.

The summary of this incident is based on information obtained from reports, and other documents regarding Lennox Station File #003-04871-0378-055, and interviews of involved sworn personnel and civilian witnesses. **(See Exhibit - A)**

INVOLVED PERSONNEL:

BAUDINO, Anthony Deputy #[redacted] — Fired five rounds - 9mm Beretta
Special Enforcement Bureau
246A

INVOLVED EMPLOYEE WORK HISTORY:

BOUDINO, Anthony

Date of Employment:
Date assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

SUSPECTS:

HENDERSON, Traveon MB/22 [redacted]. **(See Exhibit - A, pgs 137-145)**

BELL, Kenneth MB/20. [redacted]. **(See Exhibit - A, pgs 121-136)**

SWORN WITNESSES:

RODRIGUEZ, Jesse Deputy #[redacted] SEB- 246A

CIVILIAN WITNESSES:

[redacted] Witness

INJURIES:

Suspect Henderson was transported to Martin Luther King Hospital where he was treated by Emergency Room Doctor Hanna. Suspect Henderson had surgery for two gun shot wounds to his left buttocks. Patient #[redacted] was assigned.

PHYSICAL EVIDENCE:

All physical evidence at the location was photographed and recovered by Crime Lab Deputy Mario Cortez. **(See Exhibit - A, pgs 105-120).** Firearms were recovered and tested by Firearms Examiner James Carroll. The entire scene was photographed, sketched and video taped. **(See Exhibit - A, pgs 109-110).**

INVESTIGATOR OBSERVATIONS:

The location of the incident is a typical residential housing track located in the City of Los Angeles. Investigators arrived at the location and saw Sheriff's yellow "Do not Cross" tape across 123rd Street and Ainsworth Avenue. There was a white Jeep Cherokee which appeared to have been involved in a collision on the southeast corner sidewalk of 123rd Street and Ainsworth Avenue. The Jeep was facing westbound and the front passenger door was open. A Sheriff's radio car (Lic#E046327) was parked just entering the driveway of [redacted] W. 123rd Street. There were five expended shell casings, three near the southeast curb of 123rd Street and Ainsworth Avenue, one near the driveway entrance to [redacted] W. 123rd Street and one in the driveway of [redacted] W. 123rd Street. Laying on the sidewalk near the Jeep Cherokee was a "EAA" Model Witness - P, .45 caliber, semi-automatic, black metal, with an empty magazine and loaded with one live round in the chamber. Laying on the front lawn of [redacted] W. 123rd Street was a "Smith & Wesson" .38 caliber, revolver, blue steel, brown grips, with six expended shells in the cylinder. There were tire (skid) tracks on 123rd Street, extending east from [redacted] W. 123rd Street to the southeast corner of 123rd Street and Ainsworth Avenue. **(See Exhibit - B)**

WEAPONS USED BY DEPUTY PERSONNEL:

Los Angeles County Sheriff's Department semi-automatic Beretta 9mm.

WEAPONS USED BY SUSPECTS:

"EAA", Model Witness, .45 Caliber, semi-automatic, no serial number. (Altered serial)

"Smith & Wesson", .38 Caliber, revolver, Serial #C332298

PROPERTY DAMAGE:

Damage to Suspects Jeep Cherokee caused by the collision against the sidewalk and block wall. Sheriff's radio car right front passenger spotlight and right side fender was struck by a bullet fired by Deputy Baudino. Metal street sign pole which had been located on the southwest corner of 123rd Street and Ainsworth Avenue was bent and knocked down by the Suspects Jeep Cherokee.

CRIMINAL INVESTIGATOR/CHARGES FILED:

On May 23, 2003, Deputy District Attorney Alan Yochelson filed the following Felony charges against both Suspects Henderson and Bell. Six counts of Attempt Murder, two counts of Assault with a Firearm Upon a Peace Officer and one count of Unlawful Driving or Taking of a Vehicle.

LIGHTING AND WEATHER CONDITIONS:

This incident occurred during night hours. The corner at 123rd Street and Ainsworth Avenue was well lit by street lights. The garage door at [redacted] W. 123rd Street had a working mercury vapor light which illuminated the entire driveway area. The weather was dry and clear.

INVOLVED EMPLOYEE'S STATEMENTS:

DEPUTY ANTHONY BAUDINO:

Deputy Baudino is assigned to the Special Enforcement Bureau. Deputy Baudino said that on 05-20-2003, he and his partner, Deputy Jesse Rodriguez were assigned to work directed patrol in the Lennox Sheriff's Station Vermont District because of an increased number of gang-related shootings and possible threat on a deputy. Deputy Baudino was the bookman and Deputy Rodriguez was the driver and were working Unit #246A.

Deputy Baudino said that at approximately 2100 hours Lennox deputies received a call of a "stolen vehicle just occurred" in which the stolen vehicle was described as a white Jeep Cherokee. The call also said the victim was chasing the suspects. Deputy Baudino said he contacted the victim on Imperial Highway and spoke with him briefly regarding the stolen vehicle.

Deputy Baudino said they left the victim and drove to Helen Keller Park, off of 126th Street, but did not locate the stolen vehicle. He said they left the park westbound on 126th Street and were approaching Budlong Avenue when he heard a series of gunshots north of their location. Deputy Rodriguez began driving northbound on Budlong Avenue. As they approached 125th Street, Deputy Baudino saw two male Blacks (suspects) running westbound on 125th Street and onto northbound Budlong Avenue. As he looked northbound he saw a vehicle parked along the east curb line of Budlong Avenue, facing north, with its headlights on and the brake lights illuminated. Both of the suspects were holding large caliber handguns in their hands and they entered the waiting vehicle. Deputy Bausino said that both suspects appeared to have red plaid bandanas covering their faces. Deputy Rodriguez stopped approximately 20 feet behind the vehicle and Deputy Baudino ordered the suspects to put their hands up. He said the vehicle sped off northbound on Budlong Avenue. Deputy Baudino broadcasted on the radio that they were in pursuit of a 245 vehicle with armed suspects.

Deputy Baudino said the suspect vehicle turned eastbound onto 123rd Street from Budlong Avenue and continued to accelerate. The suspect vehicle drove through a stop sign at 123rd Street and Vermont Avenue and began to lose control after going airborne on the east side of Vermont Avenue. The suspects vehicle spun out of control as it traveled eastbound on 123rd Street, it jumped the curb on the southwest corner of 123rd Street and Ainsworth Avenue and crashed into the block wall on the southeast corner. ([redacted] West 123rd Street) **(See Exhibit - C)**

Deputy Baudino said that as the suspect vehicle came to rest, facing westbound, the right front passenger (Suspect Henderson) immediately exited. As Suspect Henderson cleared the open door, Deputy Baudino saw that he was holding a handgun in his right hand, which he pointed at them. Deputy Baudino said he told Deputy Rodriguez what he observed and yelled for the suspect to put his hands up. Deputy Baudino said he believed the suspect was going to shoot either him or his partner so he fired one or two times at the suspect while still seated in the radio car.

Deputy Baudino said after he fired at Suspect Henderson, he saw the rear seat passenger (Suspect Bell) exit the vehicle via the front passengers door and begin to run eastbound on the south sidewalk of 123rd Street. Suspect Bell was holding a gun in his hand as he ran passed Suspect Henderson, who was also running eastbound on the sidewalk. Deputy Baudino said that as Suspect Henderson ran he began to turn towards him and his partner with his hands near his waistband. Deputy Baudino said he yelled for the suspect to put his hands up, but he did not comply. Deputy Baudino was afraid they were about to be assaulted, so he fired one round at Suspect Henderson, who immediately fell to the ground. Deputy Baudino was still seated in his vehicle at this time. **(See Exhibit - D)**

Deputy Baudino said that Suspect Henderson immediately stood back up and again reached for his waist area. Deputy Baudino ordered Suspect Henderson to show him his hands, but the suspect did not comply. Deputy Baudino felt Suspect Henderson was about to shoot at him or his partner, so he fired one more round at Suspect Henderson. Deputy Baudino was still seated in his vehicle at this time.

Deputy Baudino said that both suspects ran onto the driveway of [redacted] West 123rd Street as Deputy Rodriguez pulled the radio car into the driveway. As Deputy Rodriguez maneuvered the vehicle into the driveway he might have accidentally struck Suspect Henderson, who ran in front of the car, with the right front end of the car. Deputy Baudino saw Suspect Henderson run west towards and behind a van which was parked on the west side of the driveway. Deputy Baudino looked and saw Suspect Bell climbing over a wall on the east side of the residence at [redacted] West 123rd Street. When Suspect Bell reached the top of the wall, he appeared to have got stuck. Suspect Bell then turned and pointed the gun he was holding in his right hand at Deputy Baudino and his partner. Deputy Baudino said he ordered the suspect to drop the gun, but he did not comply. He said he was afraid Suspect Bell was about to shoot at them, so he fired at Suspect Bell one time while still seated in the radio car. Suspect Bell fell to the other side of the wall out of Deputy Baudino's view. Deputy Baudino stated he was not sure if he had hit Suspect Bell. **(See Exhibit - E)**

Deputy Baudino now realizing that he had lost sight of Suspect Henderson because he had moved to the front of a vehicle which was parked in the driveway, moved to the street and could see Suspect Henderson crawling on the ground west of the vehicle parked in the driveway. He ordered Suspect Henderson to lie down and show him his hands. Deputy Baudino said he broadcasted on his radio that he had been in a shooting, and asked for assistance and paramedics to respond to [redacted] West 123rd Street. **(See Exhibit - F)**

Deputy Baudino said he looked back at the Jeep Cherokee and saw Suspect #3 exit via the passenger door and run northbound on Ainsworth Avenue, past 123rd Street, and out of view. Deputy Baudino said the suspect was wearing a dark hooded sweatshirt. Deputy Baudino said within a short time additional deputies arrived at the location and a containment was set up.

Deputy Baudino said he realized Suspect Henderson had been shot when he took him into custody on the west side of the vehicle in the driveway.

Deputy Baudino said that after Suspect Henderson was transported to the hospital, Suspect Bell was taken into custody hiding in a yard. Deputy Baudino said he identified Suspect Bell as the suspect who had pointed a gun at him as he jumped over the wall at [redacted] West 123rd Street.

> **IAB NOTE: The Jeep Cherokee was the stolen vehicle from earlier in the shift which Deputies Baudino and Rodriguez had talked to the victim. The suspects were also linked to a shooting at 125th Street and Budlong Avenue with six victims. (See Exhibit - A, for details on shooting)**

SWORN WITNESS STATEMENTS:

DEPUTY JESSE RODRIGUEZ:

Deputy Rodriguez said that be and his partner, Deputy Anthony Baudino, were assigned to work directed patrol in the Lennox Sheriff's Station Vermont District, due to a large number of recent gang shootings. Deputy Rodriguez said they were briefed by Lennox Sheriff's Station Operation Safe Streets personnel as to the area they would be working. Deputy Rodriguez was the driver and Deputy Baudino was the bookman.

Deputy Rodriguez said between 2130 and 2200 hours, they did a patrol check of Helen Keller Park. As they left the park they drove westbound on 126th Street toward Budlong Avenue in their marked radio car. Deputy Rodriguez heard approximately five to six gunshots, a pause, and then approximately five to six additional shots. Deputy Rodriguez started driving northbound on Budlong Avenue and as he approached 125th Street he saw two males (suspects) with red bandanas covering their faces walking northbound on Budlong Avenue from 125th Street. He said one of the males looked back in his direction just prior to entering a white Jeep Cherokee, which was parked along the east curb line of Budlong Avenue facing northbound. Deputy Rodriguez said he positioned the radio car behind the Jeep Cherokee, and he and Deputy Baudino illuminated the Jeep with their spotlights.

The Jeep Cherokee sped off northbound on Budlong Avenue, then turned eastbound on 123rd Street. He said he immediately activated the radio cars red lights and siren. Deputy Baudino broadcasted

they were in pursuit of a 245 vehicle. Deputy Rodriguez said the Jeep Cherokee ran through the stop sign at Vermont Avenue and when it went through the dip on the east side of the street the vehicle went airborne. As the Jeep Cherokee continued eastbound on 123rd Street it began to fishtail. The driver lost control of the vehicle, which spun out and crashed into the brick wall of the house located on the [redacted] 123rd Street and Ainsworth Avenue ([redacted] West 123rd Street). Deputy Rodriguez said the Jeep Cherokee stopped facing in a southwest direction.

Deputy Rodriguez saw the right front passenger (Suspect Henderson) jump out of his door with a pistol in his hand and point it at the deputies. He said Deputy Baudino fired at the suspect two or three times as he was moving eastbound on the south sidewalk of 123rd Street. Deputy Baudino was still seated in the radio car when he fired.

Deputy Rodriguez said the rear seat passenger (Suspect Bell) jumped out the passenger door and ran eastbound on the south sidewalk of 123rd Street and southbound on the east side of the residence at [redacted] West 123rd Street. Deputy Rodriguez believed Deputy Baudino fired at Suspect Henderson again but said his attention was drawn to the second suspect (Bell).

Deputy Rodriguez said he remembered seeing Suspect Henderson crouched down and reaching into his waistband when Deputy Baudino fired at him. He said he may have struck Suspect Henderson with the radio car as he was pulling into the driveway of [redacted] West 123rd Street, but he was not sure because his attention was on Suspect Bell, who had jumped on top of the wall on the east side of the residence. Deputy Rodriguez said when Suspect Bell was on top of the wall, he pointed a handgun in the deputies direction. Deputy Rodriguez recalls that Deputy Baudino fired at Suspect Bell as he pointed the gun towards them. Deputy Rodriguez said Suspect Bell jumped to the other side of the wall and disappeared.

Deputy Rodriguez said that as they took Suspect Henderson into custody, he remembered looking back at the Jeep Cherokee and seeing a male Black, with a dark hooded sweatshirt, run away from the vehicle northbound on Ainsworth Avenue. Deputy Rodriguez said that Lennox Sheriffs Station deputies arrived, set up a containment, and Suspect Bell was taken into custody a short time later. Los Angeles City Fire Department paramedics treated Suspect Henderson at the scene and he was transported to the hospital.

Deputy Rodriguez said Deputy Baudino was the only one who fired at the suspects. He and Deputy Baudino both yelled at the suspects to put their hands up as they ran from the Jeep Cherokee after it crashed.

Deputy Rodriguez said that approximately 30 minutes prior to the shooting there had been a radio broadcast of a stolen white Jeep Cherokee in the Vermont District and he and Deputy Baudino had spoken with that victim. The Jeep Cherokee involved in this incident turned out to be the stolen vehicle from the earlier call.

CIVILIAN WITNESS STATEMENT:



[redacted]

Witness [redacted] was interviewed on 05-21-03, and said that when the incident occurred she was inside her house. She heard a vehicle skidding, then a crash. She said she looked out her front door and saw a deputy yelling at two male Blacks who were running eastbound on 123rd Street. Witness [redacted] said she heard the deputy yell, 'Stop. Drop it. Don't move. Drop the gun.' Witness [redacted] believed she heard six consecutive gunshots when she was in her den. She looked out her front door and saw one male running eastbound on 123rd Street and saw another male fall down between the wall and the car across the street ([redacted] West 123rd Street).

Witness [redacted] said she remembered hearing the deputy yell, "Stop running. Drop the gun." She said the deputies' car was in the driveway across the street. She saw the two deputies outside of their car and that their attention was drawn to the male on the ground. She said she did not know what happened to the second male. Witness [redacted] said she never went outside, but remembered the paramedics arrived at the location soon after the shooting. She remembered the male was wearing red clothes. She described the suspects as tall and thin. Witness [redacted] said when she looked outside, the vehicle had already crashed and the deputies' car was in the driveway.

Witness [redacted] said she knows the suspects had a gun because she heard the police say, "Drop it or I'll blow your head off.'

SUSPECT STATEMENT:

KENNETH BELL:

Suspect Bell said that earlier in the day he had been at a funeral for a friend who had been killed. He said after the service he attended a barbeque until he decided to go home. He said he jumped into a white sport utility vehicle (SUV), but did not know what was about to happen. He stated he was not involved in the gunfire. Suspect Bell said he did not know who owned the car. He said knew the driver as 'Baby E-roc" and the right front passenger as "Black" both members of the "Denver Lanes Blood" street gang. Suspect Bell said that he is also a Denver Lane gang member and has been since he was 14 years old.

Suspect Bell said that prior to being arrested, they were driving around in an unknown area. He said a shooting occurred, they were chased by the police, a dog found him, and he was arrested. Suspect

Bell denied being involved in the shooting. He said he never shot or had a gun. Suspect Bell said he was in the car when the shooting occurred. He said he heard 13 shots then Baby E-roc and Black jumped back in the vehicle, and the police started chasing them. He reiterated that he was in the car when the shooting occurred and Black and Baby E-roc were not with him. Suspect Bell said he never got out of the car. Suspect Bell said that when the police started chasing them, Baby E-roc was the driver. He said he was afraid the vehicle was going to flip over and when they crashed the car, he just wanted to get away.

Suspect Bell stated as the police started chasing them, Baby E-roc was driving, Black was in the front seat, and he was in the back seat. He said after the crash everyone got out of the passenger side. He said he ran through a yard and cut his hand as he jumped over a wall. Suspect Bell denied having a gun. He said he was arrested later and he does not know what happened to the other suspects.

Suspect Bell said prior to the shooting he felt something was going to happen and either they were going to shoot or be shot at. He said he knew the area they were in was a "Crip" neighborhood. Suspect Bell said they went to the area "to do some business." He said there were two guns in the car.

TRAVEON HENDERSON:

On 05-21-2003 at 0840 hours, investigators drove to Martin Luther King Medical Center and attempted to interview Suspect Henderson. The suspect was sedated and unable to be interviewed.